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The rule of law at the national and international levels

Measures to eliminate international terrorism

Letter dated 1 June 2007 from the Permanent Representative of the Bolivarian Republic of Venezuela to the United Nations addressed to the Secretary-General

I have the honour to refer to the recent release of the international terrorist, Luis Posada Carriles, in the territory of the United States of America.

The Government of the Bolivarian Republic of Venezuela reiterates that the United States Government is obliged to hand over to our country the notorious international terrorist, Luis Posada Carriles, in accordance with the provisions of the International Convention for the Suppression of Terrorist Bombings; the Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation and the bilateral extradition treaty signed by Venezuela and the United States in 1922.

The Luis Posada Carriles case is emblematic of the counter-terrorism effort, which is the responsibility of all democratic States. There are no good terrorists or terrorists who should be protected; terrorism must be combated in all its forms and manifestations.

In light of the importance of this issue, I have the honour to attach herewith a copy of the Declaration of the Heads of State and Government of the Countries Members of the Bolivarian Alternative for the Peoples of Latin America (ALBA) in reference to the release of the terrorist, Luis Posada Carriles, which was adopted at the Fifth Summit of ALBA, held in Barquisimeto, Venezuela on 28 and 29 April 2007 (see annex).

I would be grateful if you would have this letter and its annex circulated as a document of the General Assembly under agenda items 55, 80 and 100 and as a document of the Security Council.

(*Signed*) Francisco Javier **Arias Cárdenas**
Ambassador
Permanent Representative

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Annex to the letter dated 1 June 2007 from the Permanent Representative of the Bolivarian Republic of Venezuela

Declaration of the Heads of State and Government of the Countries Members of the Bolivarian Alternative for the Peoples of Latin America

[29 April 2007]

The Heads of State and Government of the Countries Members of the Bolivarian Alternative for the Peoples of Latin America (ALBA), meeting in Barquisimeto, Venezuela on 28 and 29 April 2007, considered the recent release on bail of the international terrorist, Luis Posada Carriles.

The Heads of State and Government condemned this act and expressed their conviction that it was a consequence of manoeuvres orchestrated by the Government of the United States of America as payback to the terrorist for his silence and for not revealing the details of his terrorist acts, committed in the service of the United States Government against Cuba, Venezuela and other countries of Latin America, including his participation in Operation Condor and the Iran-Contra Scandal and other acts perpetrated over decades, including during the period when the father of the current President of the United States was Director of the Central Intelligence Agency (CIA).

They noted that the United States Government has all the information on the actions of Luis Posada Carriles and that, as part of the aforementioned manoeuvre, it took the political decision not to certify to the American courts, in accordance with that State's legislation, that the release of Luis Posada Carriles posed a threat to the national security of the United States or to the security of the community or of any individual.

Whereas the United States Government is unjustly and cruelly holding prisoner five young Cuban counter-terrorism fighters, it has protected the terrorist since his arrival on American soil in the vessel *Santrina*. By so doing, it has violated not only all the international counter-terrorism conventions to which it is a party, but also United Nations Security Council resolution 1373 (2001), which that Government itself promoted, and has shown its double standard through the so-called "war on terrorism" launched by its President.

Pursuant to the International Convention for the Suppression of Terrorist Bombings (which entered into force on 23 May 2001) and to the Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation (which entered into force on 26 January 1973), to both of which it is a State party, the United States Government is obliged either to extradite Luis Posada Carriles or to bring his case before its competent authorities for trial, without any exception whatsoever and regardless of whether the crime was committed in its territory.

On the contrary, the United States Government is now agreeing to his release and has continued to ignore the request for extradition submitted in due form by the Government of the Bolivarian Republic of Venezuela nearly two years ago.

Furthermore, in January 2007, in order to appease Luis Posada Carriles and the terrorist forces that support him in United States territory, the United States

Government merely charged him with minor immigration crimes which, as part of the manoeuvre, will earn him only a light sentence.

The Heads of State and Government of the ALBA countries demand that the United States Government fulfil its international commitments and either extradite the terrorist Luis Posada Carriles to the Bolivarian Republic of Venezuela or try him for his terrorist acts, including the 1976 mid-air destruction of a Cubana de Aviación aircraft and the 1997 terrorist bombings of Cuban tourist facilities that took the life of a young Italian, Fabio di Celmo.